

Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ERIC LEE,

Plaintiff,

v.

AUTONATION INC., and AUTO COMPANY
XXI INC., doing business as PORSCHE
BELLEVUE,

Defendants.

No. C23-348RSL

STIPULATION AND ORDER
REGARDING ARBITRATION AND
STAYING LITIGATION

STIPULATION

The parties hereby acknowledge that: Plaintiff Eric Lee commenced litigation in King County Superior Court on February 3, 2023, and that is the date of filing for statute of limitations and compliance with EEOC right-to-sue purposes; Defendants were timely served with the complaint and summonses; Defendants filed a timely notice of removal to federal court; and this case is currently pending in the United States District Court for the Western District of Washington.

Now, the parties, through their respective counsel, hereby agree to submit this matter to arbitration under the following conditions:

1. Stay of Court Case and Commencement of Arbitration: The parties stipulate that the Court should stay this case pending arbitration, pursuant to 9 U.S.C § 3. Plaintiff will

1 submit a complaint and this stipulation to Judicial Arbitration and Mediation Services, Inc.
2 (JAMS) to commence arbitration.

3 **2. Arbitrator:** The arbitrator will be Judge Regina Cahan (Ret.) at JAMS.

4 **3. Discovery:**

5 a. Each side will be permitted to serve twenty (20) interrogatories, twenty-
6 five (25) requests for production, and ten (10) requests for admission.

7 b. Each side may take six depositions lasting no more than six hours each
8 and two depositions lasting no more than three hours each.

9 c. Upon a showing of reasonable need the arbitrator may allow additional
10 discovery. The parties may also stipulate to allow additional discovery.

11 d. The Federal Rules of Civil Procedure apply to discovery.

12 **4. Timing of Arbitration:** Arbitration will occur at a reasonable time convenient for
13 all parties, their counsel, and the arbitrator, and will occur no later than the week of February 5,
14 2024.

15 **5. Rules:** Except as otherwise stipulated herein or by future stipulation of the parties
16 or by order of the arbitrator, the JAMS rules shall apply to the arbitration proceedings.

17 **6. Arbitrator's Award:** The arbitrator's award may be vacated only for the reasons
18 set forth in the Washington Uniform Arbitration Act or the Federal Arbitration Act. The parties
19 will not seek to enforce any agreement or purported agreement stating otherwise or that could be
20 interpreted to allow for appellate arbitrator review.

21 **7. Arbitrator's Fees and Costs:** Defendant is responsible for paying all costs
22 associated with arbitration that Plaintiff would not have otherwise incurred in court, including
23 the costs, expenses, and the fees of the arbitrator.

24 **8. Remedies:** By agreeing to arbitrate Plaintiff's claims, he is submitting to their
25 resolution in an arbitral rather than a judicial forum, but is not forgoing the substantive rights
26 afforded by the Washington Law Against Discrimination or the Age Discrimination in
27

1 Employment Act, or other law. All types of relief that would otherwise be available in court
2 shall be available to Plaintiff in arbitration.

3
4 IT IS SO STIPULATED:

5 DATED 30th of March, 2023.

DATED 30th of March, 2023.

6 MacDONALD HOAGUE & BAYLESS

FISHER PHILLIPS

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8 By: /s/Katherine Chamberlain

By: /s/Catharine M. Moriset, per email
authority

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ORDER

The Court has reviewed the parties' Stipulation Regarding Arbitration and Staying Litigation, and is fully advised.

Pursuant to the parties' stipulation to submit this case to arbitration, the case shall be STAYED.

DATED 31st of March, 2023.

A handwritten signature in black ink, appearing to read "Mr S Lasnik", written over a horizontal line.

HONORABLE ROBERT S. LASNIK